

PATENT  
Attorney Docket No. 3363

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Earl Hubbell

Examiner: Unknown

Serial No: 09/746,036

Group Art Unit: 1645

Filing Date: December 21, 2000

Title: **COMPUTER SOFTWARE  
PRODUCTS FOR GENE EXPRESSION  
ANALYSIS USING LINEAR  
PROGRAMMING**

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Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Please amend the specification for the above-identified patent application as shown below:

Page 6, line 3, delete "Figure 3 shows one embodiment of the gene expression analysis method of the invention."

Dated: February 27, 2001

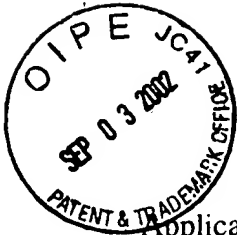
Respectfully submitted,

Wei Zhou  
Reg. No. 44,419

Legal Department  
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Tel: 408/731-5000  
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Date: 2-27-01 By: Leanne Fowler



Atty. Docket No. 3363

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Earl Hubbell )  
Serial No: 09/746,036 )  
Filing Date: December 21, 2000 )  
Title: Computer Software Products for )  
Gene Expression Analysis Using )  
Linear Programming )

Examiner: Unassigned  
Group Art Unit: 1645

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PRELIMINARY AMENDMENT AND RESPONSE TO NOTICE OF OMITTED ITEMS

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby submit a copy of Preliminary Amendment filed on February 27, 2001 in response to the Notice of Omitted Items dated February 7, 2001. A copy of the postcard returned by the PTO dated March 2, 2001 acknowledging receipt of this Preliminary Amendment is also enclosed.

Applicant's representative has discovered, via the PAIR system on August 13, 2002 and a phone call to Group Art Unit 1645 on August 14, 2002, that the USPTO has no record of this Preliminary Amendment. Therefore, a copy of the postcard and the Preliminary Amendment is enclosed. Entry of this preliminary amendment is respectfully requested.

REMARKS

No fee is believed to be due with the submission of this document. However, the Commissioner is hereby authorized to charge or to credit any fees that may be due in connection with the filing of this amendment to Deposit of Account No. 01-0431.

Respectfully submitted,

Dated: 08-22-2002

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Leticia R. Block  
Leticia R. Block  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**


(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/746,036	
	<b>Filing Date</b>	December 21, 2000	
	<b>First Named Inventor</b>	Earl HUBBELL	
	<b>Group Art Unit</b>	1645	
	<b>Examiner Name</b>	Unknown	
<b>Total Number of Pages in This Submission</b>	2	<b>Attorney Docket Number</b>	3363

**ENCLOSURES (check all that apply)**

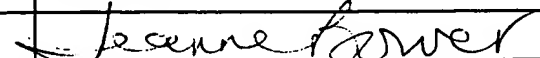
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Preliminary Amendment</b>		
<table border="1"> <tr> <td><b>Remarks</b></td> <td></td> </tr> </table>			<b>Remarks</b>	
<b>Remarks</b>				

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	Wei Zhou, Reg. No. 44,419
<b>Signature</b>	
<b>Date</b>	February 27, 2001

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 27, 2001

<b>Typed or printed name</b>	Jeanne Bower		
<b>Signature</b>		<b>Date</b>	February 27, 2001

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